

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No. 3:03-CR-101
)
FRANCISCO ARIZNENDI-LUGO)

ORDER

By judgment entered June 24, 2005, the defendant was sentenced to a term of imprisonment of 87 months, to be followed by four years of supervised release. In addition, his judgment provided, “If deported, at all times that the defendant is outside the United States, his term of supervised release will be tolled for a period of 10 years.” [Doc. 842].

Subsequently, the Sixth Circuit Court of Appeals held “that district courts are not authorized to toll the period of supervised release while the defendant is deported and outside the United States.” *United States v. Ossa-Gallegos*, 491 F.3d 537 (6th Cir. 2007). Pursuant to that holding, the court hereby **AMENDS** the judgment in this case to **RESCIND** the above-quoted tolling provision. In all other respects, the June 24, 2005 judgment remains in effect.

IT IS SO ORDERED:

ENTER:

s/ Leon Jordan
United States District Judge